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W.P.(MD)No.18895 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.18895 of 2024

P.Arokkyam

... Petitioner

Vs.

1.The Branch Manager,
State Bank of India,
Villapuram Branch,
Aruppukottai Main Road,
Madurai.

2.The Regional Manager,
State Bank of India,
Madurai.

3.The Office of RBI Ombudsman,
The Reserve Bank of India,
Mumbai, Maharashtra.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to defreeze the account of the petitioner lying in Account No.30105077289 with the first respondent bank immediately.

For Petitioner : Mr.S.Kishore Kumar
For R1 & R2 : Mr.C.Karthick



W.P.(MD)No.18895 of 2021

ORDER

This writ petition has been filed seeking a direction to the respondents to de-freeze the account of the petitioner lying in Account No.30105077289 with the first respondent bank immediately.

2.The petitioner is an account holder in SB Account No.30105077289 in the first respondent Bank and he had deposited a sum of Rs.1,00,318/- in that account as his savings. When the petitioner approached the first respondent Bank to withdraw the same, it is informed that the account of the petitioner was blocked by the Cyber Crime Police on account of the complaint registered against the petitioner in Crime No.31907230026816 before the Maharashtra Cyber Crime Cell at Mumbai alleging online fraud for a Rs.13,500/-. Pursuant to the same, the bank account of the petitioner is frozen.

3.Heard the learned counsel appearing on either side and perused the materials placed on record.

4.The Cyber Crime Cell, Maharashtra had held that on account of the online complaint alleging fraud, an investigation had been undertaken as to how a sum Rs.13,500/-, for which amount the complaint has been made, came to the account of the petitioner. Hence, a letter has been addressed to the first respondent to hold that amount in the petitioner's account.



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5.At this juncture, the learned counsel for the petitioner submitted that a sum of Rs.13,500/- shall be held separately by the first respondent Bank and the petitioner may be permitted to withdraw the remaining amount.

6.When the complaint itself is made only with regard to a sum of Rs.13,500/- and the Cyber Crime Cell, Maharastra also issued a letter to hold the said amount only, the entire banking account of the petitioner cannot be frozen and it will have a serious impact on the petitioner.

7.For the reasons stated above, the first respondent bank is directed to hold only a sum of Rs.13,500/- (Rupees Thirteen Thousand Five Hundred only) as requested by the Cyber Crime Cell, Maharastra and permit the petitioner to withdraw the remaining amount lying in his account in SB AC.No. 30105077289 before the first respondent.

8.This writ petition is ordered. No costs.

12.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

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N.SATHISH KUMAR, J.

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